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NO. COURT-1/17/2022-DP-DP-PART(1)[A] GOVERNMENT OF MANIPUR

SECRETARIAT : DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(PERSONNEL DIVISION)

ORDERS BY THE GOVERNOR

Imphal, the 20th September, 2024

- Whereas, the Department of Personnel & Administrative Reforms (Personnel Division), Government of Manipur vide its letter no. 3/45/2012-DR/DP dated 07.03.2016 had requisitioned Manipur Public Service Commission (herein after referred to as MPSC) for selecting eligible persons for filling up 82 nos. of posts for direct recruitment, consisting of 13 nos. of posts under Manipur Civil service Grade-II (MCS-II), 16 nos. of posts under Manipur Police Service Grade-II (MPS-II), 48 nos. of Sub Deputy Collectors (SDC), 4 nos. of posts under Manipur Secretariat Service (MSS) Category-V (Section Officer) and 1 no. of Election Officer (EO); and
- Whereas, the MPSC thereafter issued notification for Manipur Civil Services Combined Competitive (Preliminary) Examination, 2016 [MCSSC (Prelims) Examination, 2016] inviting therein, applications for filling up of these 82 posts vide Advt. 1/2016 No. 7/1/2016-MPSC (DR) dated 07.04.2016 and 03.06.2016; and
- Whereas, MPSC conducted the MCSSC (Prelims) Examination, 2016 on 03.07.2016 and the result was declared on 08.07.2016, recommending therein a total of 1130 candidates as eligible for appearing at the Main Examination.
- Whereas, the Main Examination was held from 04.09.2016 to 23.09.2016. The result thereof was declared on 04.10.2016 vide MPSC Notification No. 7/1/2016-MPSC(DR) dated 04.10.2016; and
- Whereas, the personality test of the candidates who had qualified the Main Examination was held from 17.10.2016 to 22.10.2016. On the basis of the marks secured in MCSSC (Main) Exam, 2016 and personality test, MPSC notified a combined merit list of 167 (One hundred and sixty-seven) candidates vide Notification No. 7/1/2016-MPSC(DR) dated 21.12.2016; and
- Whereas, MPSC submitted the proceedings of the Commission including (i) Combined merit list of all 167 candidates who appeared in the personality test, (ii) list of recommended candidates against the unreserved vacancies and (iii) list of reserved candidates in connection with recruitment against 82 (eighty-two) vacancies in different services vide MPSC letter no. 7/1/2016-MPSC(DR) dated 31.12.2016; and

7. Whereas, on the recommendation of MPSC, 13 (thirteen) candidates were appointed to MCS-II vide DP's Order No. 3/1/2017-DR/DP dated 22.06.2017, 16 (sixteen) candidates to MPS-II vide DP's Order No. 3/1/2017-DR/DP(a) dated 22.06.2017, 1 (one) candidate to MSS vide DP's Order No. 3/1/2017-DR/DP(b) dated 22.06.2017 and 3 (three) candidates to MSS vide DP's Order No. 3/1/2017-DR/DP(Pt) dated 26.07.2017, 46 (forty-six) candidates to SDC vide order of Revenue Department (now called Land Resources Department) No. 3/189/2005-R dated 23.06.2017, 2 (two) candidates to SDC vide Revenue Department's Order No. 3/189/2005-R dated 02.08.2017 and 1 (one) candidate to Election Officer vide Election Department's Order No. 18/DPC(EO)/ELEC/01 dated 03.08.2017; and
8. Whereas, several litigations / writ petitions were filed by the unsuccessful candidates; and
9. Whereas, Hon'ble High Court of Manipur in its judgment and order dated 18.10.2019 passed in W.A. No. 19 of 2017, W.A. No. 29 of 2017, WP (C) No. 606 of 2017, W.P.(C) No. 725 of 2017 and W.P. (C) No. 313 of 2018 allowed the writ petition WP (C) No. 606 of 2017, W.P.(C) No. 725 of 2017 and W.P. (C) No. 313 of 2018 and quashed and set aside the Main Examination, 2016 initiated and conducted pursuant to the notification dated 07.04.2016 issued by MPSC; and
10. Whereas, the consequential Orders dated 22.06.2017 and 26.06.2017 issued by the Department of Personnel and the order dated 23.06.2017 issued by the Revenue Department were also quashed and set aside. It was also held that it was open to the MPSC to conduct the Main Examination, 2016 afresh after giving due notice to the candidates; and
11. Whereas, the successful candidates who had been appointed to the 5(five) Services, as indicated in the preceding Paras, being aggrieved, filed Special Leave Petition No. (S) 39519/2019 before the Hon'ble Supreme Court of India against the Judgment and Order dated 18.10.2019 of Hon'ble High Court of Manipur passed in W.A. No. 19 of 2017, W.A. No. 29 of 2017, WP (C) No. 606 of 2017, W.P.(C) No. 725 of 2017 and W.P. (C) No. 313 of 2018; and
12. Whereas, Hon'ble Supreme Court of India in Special Leave Petition (Civil) Diary No. (S) 39519/2019 vide order dated 22.11.2019 dismissed the SLP; and
13. Whereas, in compliance of the orders of Hon'ble High Court of Manipur and Hon'ble Supreme Court of India dated 18.10.2019 and 22.11.2019 respectively, Department of Personnel cancelled the notification no. 3/1/2017-DR/DP dated 18.04.2017, Memorandum No. 3/1/2017-DR/DP dated 18.04.2017, No. 3/1/2017-DR/DP(Pt) dated

22.06.2017 and appointment orders bearing No. 3/1/2017-DR/DP, No. 3/1/2017-DR/DP(a), No. 3/1/2017-DR/DP(b) dated 22.06.2017, No. 3/1/2017-DR/DP(Pt) dated 26.07.2017 and 26.06.2018 and the services of 33 (thirty-three) persons were terminated w.e.f 18.10.2019 vide DP's Order No. 3/1/2017-DR/DP dated 2.12.2019. Further, Revenue Department terminated the services of 48 (forty-eight) officials in compliance of orders of Hon'ble High Court of Manipur and Hon'ble Supreme Court vide Order no. 3/189/2005-R dated 2.12.2019; and

14. Whereas, Hon'ble Supreme Court of India in its **order dated 11.02.2022** in Special Leave Petition (Civil) diary No. (s). 5680/2021 directed the MPSC to conduct the Main Examination of MCSCC (Main) Examination, 2016 afresh not later than 4 (four) months from the date of order; and

15. Whereas, MPSC conducted MCSCC(Main) Examination, 2016 and personality test/interview afresh and notified the combined merit list of 168 (one hundred and sixty-eight) candidates vide MPSC Notification No. 7/1/2016-MPSC(DR)(Vol-II) dated 22.11.2022; and

16. Whereas, on the recommendations of MPSC vide its letter no. 7/1/2016-MPSC(DR) (Vol-II) dated 24.11.2024, Department of Personnel issued appointment orders of 13 (thirteen) candidates to MCS-II vide Order No. EXAM-1/2/2022-DP-DP dated 25.03.2023, 16 (sixteen) candidates to MPS-II vide Order No. EXAM-1/2/2022-DP-DP[A] dated 25.03.2023, 4 (four) candidates to MSS vide Order No. EXAM-1/2/2022-DP-DP [B] dated 25.03.2023; and

17. Whereas, the then Revenue Department (now called Land Resources Department) also issued appointment orders for 48 (forty-eight) candidates to SDC vide order no. ESTTRE/151/2023-REV-REVENUE dated 25.03.2023; and

18. Whereas, Election Department also issued appointment order for 1 (one) candidate to Election Officer vide Order no. AA-101/4/2023-ELEC-ED dated 27.03.2023; and

19. Whereas, in the **order dated 11.02.2022** in Special Leave Petition (Civil) diary No. (s). 5680/2021, Hon'ble Supreme Court of India had also directed inter-alia that

"in the event, the candidates who were already appointed on the basis of results of the main examination conducted in September, 2016, if successful in the re-conducted main examination in terms of this order, they would be given continuity of service and consequential benefits upon being appointed against the concerned posts;"

and

20. Now, in compliance of the order of the Hon'ble Supreme Court dated 11.02.2022 and the legal opinions, the following officers who have been reappointed against the concerned/same posts would be entitled the continuity of service and consequential benefits:

Sl. no.	Name of the officer	Cadre / Service appointed on the basis of re-conducted MCSCCE 2016 (2022)	Cadre/Service appointed on the basis of MCSCCE 2016 along with date of appointment
MCS-II			
1	Loktongbam Leander	MCS	MCS (23.06.2017)
2	Khwairakpam Tompok Singh	MCS	MCS (23.06.2017)
3	Linda Ningombam	MCS	MCS (23.06.2017)
4	Paotinsei Kipgen	MCS	MCS (23.06.2017)
MPS-II			
5	Thingbaijam Kamaljit Singh	MPS	MPS (23.06.2017)
6	Kayenpaibam Sunderbala	MPS	MPS (23.06.2017)
7	S L Kamkhohao	MPS	MPS (23.06.2017)
SDC			
8	Laishram Tarajeet Singh	SDC	SDC (23.06.2017)
9	Yumnam Dhanendra Singh	SDC	SDC (23.06.2017)
10	Samukcham Jemmy	SDC	SDC (23.06.2017)
11	Sonia Haobijam	SDC	SDC (23.06.2017)

12	P F Lophro	SDC	SDC (23.06.2017)
13	Namthango Kamel	SDC	SDC (02.08.2017)
14	Md. Hefajuddin	SDC	SDC (23.06.2017)
MSS			
15	Maibam Gautam Singh	MSS	MSS (26.07.2017)

21. Further, it is hereby ordered that the above candidates would be given continuity of service and consequential benefits, that is, retrospective promotion & pensionary benefits taking into account their date of appointment in the year 2017 as in the table in para 20 above; and
22. Whereas in compliance with the said final order dated 11/2/2022 of the Hon'ble Supreme Court, if certain candidate(s) have become eligible for promotion to the next higher grade based on their tenure of service being counted from the original date of appointment viz. 23/6/2017, 26/7/2017 and 2/8/2017 respectively; then these candidates would also be promoted to the subsequent higher grade, from the date on which their immediate junior (as per in the service wise seniority lists of 2017, 2018 & 2019) was/were given promotion to a next higher grade;
23. Accordingly, the Department of Personnel, the cadre controlling authority for the Manipur Civil Service (MCS), the Manipur Police Service (MPS) and the Manipur Secretariat Service (MSS), and the Land Resources Department, the cadre controlling authority for the Sub Deputy Collector (SDC), shall initiate follow-up action immediately.
24. This is issued in supersession of Order No. COURT-1/17/2022-DP-DP-Part(1) dated 20th September, 2024.

By orders & in the name of Governor,

ANNA ARAMBAM,
Joint Secretary (DP),
Government of Manipur.